

REMARKS

This application has been reviewed in light of the Office Action dated March 7, 2005. Claims 1, 3 to 16, 18, 20 to 33, 35, 37 to 50, 52, 54 to 66, 68 to 80 and 82 to 97 are in the application, of which Claims 1, 18, 35, 52, 66, 80, 94, 95, 96 and 97 are independent. Reconsideration and further examination are respectfully requested.

All claims were rejected under 35 U.S.C. § 103(a), primarily over an article by Modestino, et al., entitled “A Markov Random field Model-Based Approach to Image Interpretation” (hereinafter “Modestino”) in view of U.S. Patent 6,360,234 (Jain ‘234). In rejecting certain ones of the dependent claims, reliance was also placed on U.S. Patent 5,930,783 (Li ‘783). The rejections are all respectfully traversed.

In entering the rejections, the Office Action took the position that Modestino described the association of a high-level interpretation (or stereotype) with a digital image. Reliance was placed on page 606 of Modestino (top-right column) which provides as follows: “The joint assignment of object labels for *all* the image primitives provides an interpretation of the image”. (Emphasis in original.)

However, even if Modestino’s “joint assignment of object labels” is somehow read to correspond to the claimed stereotype, there is no disclosure or suggestion in Modestino of how such a “joint assignment” might be made. According to the invention, a predetermined set of plural predetermined patterns of semantic labels is provided, wherein each predetermined pattern of semantic labels corresponds to one of plural stereotypes each representing a different classification of a digital image. A labeled

region adjacency graph is analyzed to identify one or more of the plural predetermined patterns of semantic labels in the labeled region adjacency graph, and corresponding ones of the plural stereotypes are assigned to the digital image in accordance with which of the plural predetermined patterns are so-identified. As a result, the assigned stereotype describes the plurality of regions of the digital image and represents a classification of the digital image.

By contrast, Modestino is not seen to disclose or to suggest the provision of a set of plural predetermined patterns of semantic labels wherein each predetermined pattern of semantic labels corresponds to one of plural stereotypes each representing a different classification of a digital image. The Office Action took the position that Modestino's Tables I through IV might somehow correspond to predetermined patterns of semantic labels. But this analogy fails, because none of Modestino's tables shows plural predetermined patterns of semantic labels each corresponding to one of plural stereotypes each representing a different classification of a digital image. Rather, each table defines something else. For example, Table I shows whether particular combinations of labeled objects, such as "sky", "road", "field" or "car", are possible or impossible to obtain in a single combination. Table II is seen to define different metrics for measurement of different features of a single region or two adjacent regions. Table III is seen to define nominal measurements of these features for each of particular objects, such as the aforementioned "sky", "road", etc. Likewise, Table IV is seen to provide nominal measurements for these same features but for different objects corresponding to

Modestino's second experiment involving oil tanks (that is, for objects such as "vegetation", "shadow", "oil tank" or "ground").

Both of Jain '234 and Li '783 have been reviewed, but they are not seen to disclose or to suggest any of the above-noted deficiencies in Modestino. As a result, it is believed that the rejections over Modestino or Modestino and Jain '234 (or further in view of Li '783) cannot be sustained. Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicant
Michael K. O'Neill
Registration No. 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

CA_MAIN 101548v1